

BOARD OF SELECTMEN – TOWN OF NATICK

OPEN SESSION MEETING MINUTES
EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL
March 28, 2016
6:00 PM

PRESENT: Chairman Charles M. Hughes, Vice Chair J. Richard P. Jennett, Jr., Clerk Nicholas S. Mabardy, Member Joshua Ostroff, and Member John J. Connolly

ALSO PRESENT: Deputy Town Administrator for Operations Bill Chenard and Executive Assistant Trish O'Neil

ABSENT: Town Administrator Martha L. White

Chairman Charles Hughes called the meeting to order at 6:00 p.m.

Mr. Ostroff, seconded by Mr. Mabardy, moved to enter into Executive Session to discuss matters pertaining to Real Property, Non-Union Personnel Negotiations, and Collective Bargaining, with the Chair announcing that discussion of Executive Session matters in Open Session would have a detrimental effect on the Board of Selectmen's negotiating position and the Town's interests. By a roll call vote, Mr. Hughes, Mr. Jennett, Mr. Mabardy, Mr. Ostroff, and Mr. Connolly all voted in favor of the motion. The Board entered into Executive Session at 6:04 p.m. after announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:13 p.m. The Pledge of Allegiance was recited and a moment of silence was observed in honor of those protecting our country.

ANNOUNCEMENTS

Mr. Hughes announced that the Town Administrator was ill and that the Deputy Town Administrator for Operations, Bill Chenard, would be filling in for her. Mr. Hughes also announced tomorrow's election, March 29, 2016, with voting hours from 7:00 a.m. to 8:00 p.m., urging everyone to vote.

CITIZEN'S CONCERNS

Dr. Kaitlyn Ruvolo, a resident of Everett Street, stated she had concerns about pedestrian safety on that street. Mr. Jennett suggested she bring the matter to the Safety Committee and Mr. Ostroff stated that when the Transportation Advisory Committee takes form in a few months, they could work with the Department of Public Works on this matter.

WHAT'S NEW

Director of Recreation and Parks – Stewardship Program/Park Friends Groups: Mr. Jon Marshall stated his desire to move forward with the Stewardship/Friends Program created by the Recreation and Parks Commission with the goal of working with residents and others to make the Town parks better. People have begun registering with the Recreation and Parks Department and the Program should be up and running by the spring. Mr. Jennett suggested having Town Counsel review the plan.

APPOINTMENTS WITH THE BOARD OF SELECTMEN

1. **Crossroads School Autism Awareness Proclamation:** Following Mr. Mabardy's reading of the proclamation pronouncing April 2016 as Autism Awareness Month and April 2, 2016 as World Autism Awareness Day, Kelley Borer-Miller, Development Director at the Crossroads School, provided information about the school and thanked the Board of Selectmen.
2. **Natick Lions – Request for One-Day Entertainment License 4/9/16:** Margaret Humphries, treasurer of the Natick Lions Club, requested a one-day entertainment license for a fundraiser to be held on Saturday, April 9th. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously to grant the license.

3. **Warrior Thunder Foundation – Request for One-Day Entertainment License 4/8/16:** Adrienne Kinchla, a member of the Board of Directors of the Warrior Thunder Foundation, requested a one-day entertainment license for a fundraiser for veterans to be held at the Natick Elks Club on Friday, April 8th. On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board voted unanimously to grant the license, but without the detail officer that Lt. Lauzon had recommended since the same type of license was granted as above to the Natick Lions Club without a police recommendation for a detail officer.

4. **Natick Center Cultural District – Restaurant Week & Annual Art Walk:** Athena Pandolf, Executive Director of the Natick Center Cultural District, requested approval for a banner to be hung from July 18th to July 24th to advertise Restaurant Week and the 9th Annual Arts Walk on July 21st, as well as a permit to occupy a public way for outside dining and vending, also on July 21st. On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board voted unanimously to approve both the banner and the permit to occupy a public way contingent upon hiring two detail officers for the event as had been recommended by Lt. Lauzon.

5. **Public Hearing – Natick Center Parking Rates and Times:** Mr. Mabardy read the Public Hearing Notice and then moved, seconded by Mr. Jennett, to open the public hearing, which the Board unanimously approved. Mr. Paul McKinley, Chair of the Parking Advisory Committee, introduced Police Chief James Hicks. Chief Hicks stated that in the short term, there were a few areas that need to be addressed soon, specifically the parking lots on Pond and Summer Streets, South Avenue, and at Town Hall. Currently, paid parking (kiosk spots) in the parking lots is enforced on Saturdays while permit parking is not. As recommended by the Parking Advisory Committee, the Chief's proposal was to make all parking lots entirely free on Saturdays, including kiosk parking. Mr. Jennett stated that reducing enforced downtown meter hours to 9:00 a.m. to 1:00 p.m. on Saturdays had previously been discussed but the Chief felt that this should be a topic of discussion for the next Parking Advisory Committee meeting. Per the Chief, there is no meter enforcement at all on Sundays, i.e., all parking on Sundays is free. Mr. Connolly, seconded by Mr. Mabardy, moved to close the public hearing, which the Board unanimously approved. On a motion by Mr. Jennett, seconded by Mr. Mabardy, the Board voted unanimously in favor of dispensing with metered (kiosk) parking enforcement on Saturdays in all four parking lots.

6. **Mr. Clinton Heyd, Chairman, Memorial Garden Committee, St. Paul's Episcopal Church – Request Approval for Establishment of a Memorial Garden for Cremated Remains (Cremains):** According to Mr. Heyd, the Vestry of St. Paul's has approved a plan for a Memorial Garden for "cremains" on the church grounds. On questioning by Mr. Connolly, Mr. Heyd stated that biodegradable urns would be used and that there would be approximately 160-180 1 x 1 foot plots. On a motion by Mr. Connolly, seconded by Mr. Mabardy, the Board voted unanimously to approve the Memorial Garden for burying and scattering of cremated remains.

7. **Police Chief – Safety Committee Recommendations:** The Chief presented four Safety Committee recommendations to the Board. The following recommendations were approved unanimously by the Board:
 - Installation of a "No Outlet" sign on Leach Lane
On a motion by Mr. Connolly, seconded by Mr. Ostroff
 - Installation of Advance Warning Signage on Woodland Street to notify motorists of STOP ahead
On a motion by Mr. Connolly, seconded by Mr. Ostroff
 - Scheduling of a Public Hearing for April 19th regarding a change of address from 22 Wedgewood Road to 20 Spring Valley Road
On a motion by Mr. Connolly, seconded by Mr. Ostroff
 - Installation of a street light on Garden Road provided there is an existing pole
On a motion by Mr. Ostroff, seconded by Mr. Connolly

8. **Sustainability Coordinator – Year in Review:** Ms. Jillian Wilson-Martin's presentation consisted of a summary of her performance and initiatives and their impact on Natick in the areas of financial management, energy programs, waste reduction programs, land use, and community engagement and knowledge leadership. Mr. Mabardy was particularly impressed with the Town's electric car

and charging station. Ms. Wilson-Martin noted that the car is free of charge for anyone to use and that the Assessor's Office uses it frequently. Mr. Ostroff commended her for her good work and Mr. Jennett stated that she was a perfect example of the exemplary staff employed by the Town.

9. Director of Community and Economic Development and Senior Planner:

- a. **Comprehensive Master Plan Consulting Contract:** Mr. Jamie Errickson informed the Board that six proposals for the Natick 2030 Comprehensive Master Plan were received and that the recommendation is to award a two-year contract to Crosby/Schlessinger/Smallridge, LLC (CSS) of Boston at a cost of \$374,288.70. 2015 Fall Annual Town Meeting approved \$200,000, and a request will be made at 2016 Spring Annual Town Meeting for an additional \$200,000 (which has already been approved by the Finance Committee) to fund the entire contract. Mr. Connolly inquired as to why the Procurement Officer did not handle this contract and was informed that the Procurement Officer was no longer employed by the Town when the process began. Mr. Connolly questioned why he was not informed and Mr. Ostroff explained that the Town Administrator had planned to inform the Board this evening. Mr. Connolly asked if CSS was the lowest bidder and when told theirs was not the lowest bid received, Mr. Connolly asked for an explanation. Mr. Errickson explained that State law required that this RFP be based on qualifications only and not price. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted 4-1-0 to award the contract to CSS as outlined above. Mr. Connolly cast the opposing vote.
- b. **Update on Natick Center Plan:** Mr. Errickson indicated that over 700 responses were received to the survey regarding the future of Natick Center and that a report would be issued in a few weeks.
- c. **Targeted Economic Development Plan – Consultant Selection:** Mr. Errickson stated that five responses were received and the recommendation is to award the contract to Investment Consulting Associates (ICA) in the amount of \$38,440. Mr. Connolly asked if this award again had to be based on qualifications as per the State. When informed that this was the case, he opined, "It's a crazy State law." On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously to award the contract to ICA as above.

10. Director of Community Services – Proposed Establishment of Community Services Advisory

Committee: Ms. Jemma Lambert explained that the proposed new advisory committee would not replace either the Council on Aging or the Parks Commission but rather would be intended to complement their work. The intent would be to obtain citizen input to help shape policy, identify priorities, and help and guide the organization in a number of different ways. Mr. Ostroff asked what kind of overlap there would be with Recreation and Parks. Ms. Lambert referred to the Draft Charge, stating that the desire was for the committee members to interview potential members and make recommendation for appointments to the Board, including representation from the Council on Aging and Recreation and Parks. Mr. Ostroff stated that appointments like this should go through the Board and be appointed by the Board. Mr. Hughes agreed, stating that the proposed method would take away from the Board's decision-making process in that the Board is the Appointing Authority. Mr. Jennett stated that Ms. Lambert should provide a list of needs so that the appropriate people can be appointed. Mr. Hughes suggested that this item be postponed to the April 19th Selectmen's Meeting to give Ms. Lambert time to make changes to the language in the Charge.

11. Director of Recreation and Parks – Master Plan for Parks and Fields:

Present was a representative from Weston & Sampson, the environmental and infrastructure engineering consulting firm retained by the Town in 2014 to complete the Comprehensive Master Plan for Parks and Fields, who presented the plan along with Mr. Marshall. Mr. Marshall explained that the purpose of this document was to provide guidance related to the Town's future investments in its parks and fields. Mr. Connolly asked why the Town had to pay a consultant to relay the information that our fields are in poor condition and our playgrounds are unsafe. Mr. Marshall explained that all Level One issues (issues that need to be immediately addressed) have been resolved and that a request for \$25,000 has been made for Spring Annual Town Meeting to address Level Two issues, with the goal being to address all Level Two and Level Three issues before they become Level One issues. Mr. Jennett remarked that this plan is a map to move forward. Mr. Marshall stated that the DPW has worked tirelessly to improve the fields and playgrounds.

12. Director of Recreation and Parks and Director of Community Services – Memorandum of Understanding Between Town of Natick & Natick Soccer Club for Use of Cole North Artificial Turf Field:

Mr. Marshall explained that this MOU, already reviewed and approved by Town Counsel,

will allow the Natick Soccer Club priority use of the Cole North Field for Natick Soccer Club activities, which has worked collaboratively with the Town on the field's planning and development as well as funding for the field's artificial turf. To date, the Natick Soccer Club has contributed \$397,000 to the Town with its final contribution expected to be \$520,834. The term of the MOU will be 20 years, beginning April 1, 2016 and ending December 31, 2036. Upon questioning by Mr. Hughes, Mr. Marshall explained that the Town will maintain the field and will have trash and recycling barrels there. Asked by Mr. Ostroff if the allocation of playing time to the soccer club was fair to the community in terms of its needs, Mr. Marshall said that it was. On a motion by Mr. Mabardy, seconded by Mr. Ostroff, the Board voted unanimously to authorize the Town Administrator to sign the Memorandum of Understanding.

DISCUSSION AND DECISION

- 13. Confirm Town Administrator's Appointment of Elaine Ostroff to the Commission on Disability:** Mr. Ostroff, Ms. Elaine Ostroff's son, stepped out of the room. On a motion by Mr. Mabardy, seconded by Mr. Connolly, the Board voted 4-0-1 (with Mr. Ostroff abstaining) to confirm the Town Administrator's appointment of Ms. Ostroff effective today, waiving the 15-day waiting period.
- 14. Discussion of 2016 Spring Annual Town Meeting Warrant Articles – 4, 5, 6, 8, 9, 11, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 29, 30, 31, 32, 33, 38, and 39:**
 - a. Article 4 – Elected Officials' Salary:** On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted 4-1-0 in favor with Mr. Connolly casting the opposing vote. (FinCom had previously voted favorably.)
 - b. Article 5 – Personnel Board Classification and Pay Plan (Town Administrator):** On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - c. Article 14 – Capital Equipment (Town Administrator):** On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - d. Article 15 – Capital Improvement (Town Administrator):** On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - e. Article 18 – Capital Stabilization Fund (Town Administrator):** This Article was not discussed but was continued to the next Selectmen's meeting.
 - f. Article 19 – Other Post-Employment Benefits (OPEB) Fund (Town Administrator):** On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - g. Article 24 – Rescinding Previous Appropriations (Conservation Fund Study Committee):** On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted no action.
 - h. Article 25 – Change to a Definition in the Zoning Bylaw (Conservation Fund Study Committee):** On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted 4-1-0 in favor with Mr. Mabardy casting the opposing vote. (FinCom had previously voted favorably.)
 - i. Article 26 – Home Rule Petition – Street Acceptance Process (Board of Selectmen):** Mr. Ostroff explained that the Finance Committee referred this Article back to the Board of Selectmen after the Board had voted favorable action, with a redline version stating that abutters would have standing to contest a street acceptance. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously to reconsider Article 26 as amended. On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board voted unanimously in favor of Article 26 as amended.
 - j. Article 30 – Reorganization of Zoning By-Laws (Planning Board):** The Finance Committee has rescheduled discussion of this item to April 7th. The Board decided to delay discussion until the next Selectmen's Meeting on April 5th.
 - k. Article 31 – Hear Report, Extend Term, and Appropriate Funds for Tiny House Study Committee (Tiny House Study Committee):** On a motion by Mr. Ostroff, seconded by Mr. Mabardy, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - l. Article 33 – Appropriate Funds for Design of New West Natick Fire Station (Town Administrator):** On a motion by Mr. Mabardy, seconded by Mr. Connolly, the Board voted unanimously in favor. (FinCom had previously voted favorably.)
 - m. Article 38 – Acquisition of 320 Bacon Street (Town Administrator):** On a motion by Mr. Connolly, seconded by Mr. Mabardy, the Board voted unanimously in favor. (FinCom had previously voted favorably.)

- n. **Article 39 – Appropriate Funds for Abutters to Lake Street Drainage Project (Board of Selectmen):** Per Mr. Ostroff, this Article was discussed extensively by FinCom and their recommendation was for indefinite postponement. Mr. Ostroff asked the Board to reconsider their previous 3-1-0 vote in favor of this Article, recognizing that the Board Members/Town wished they could do more for the Lake Street residents. On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously to reconsider their previous recommendation. Mr. Ostroff, seconded by Mr. Connolly, moved No Action on this Article, and the Board voted unanimously in favor of No Action. Mr. Connolly apologized to the residents, stating that he felt he had let them down.

15. Discussion of Special Town Meeting #1 Articles 1-4:

- a. **Article 1 (See Town Meeting Article 24) – Rescinding Previous Appropriations (Town Administrator):** On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously in favor of rescinding the \$1500 appropriation for the Conservation Fund Study since they do not need the money.
- b. **Article 2 – Acquisition of the So-Called Wonderbread Spur (Board of Selectmen):** On a motion by Mr. Connolly, seconded by Mr. Ostroff, the Board voted unanimously to reconsider their previous recommendation. On a motion by Mr. Ostroff, seconded by Mr. Hughes, the Board voted 4-1-0 for favorable action, with Mr. Mabardy in opposition (who thought the matter should be reviewed by the new Board), to support the Article with amendments suggested in discussion with FinCom to specify use for recreational and nonmotorized transportation purposes only, with a public hearing to be held no later than October 1, 2016 regarding environmental testing and legal issues.
- c. **Article 3 – Acquisition of the CSX Saxonville Branch (Board of Selectmen):** On a motion by Mr. Ostroff, seconded by Mr. Hughes, the Board voted unanimously to reconsider their previous recommendation. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted 4-0-1 for favorable action, with Mr. Mabardy abstaining, to support the Article with amendments suggested in discussion with FinCom to indicate that environmental testing would be more robust than previously planned and that Town Meeting would have to approve \$2.5 million from the Stabilization Fund with then another subsequent approval by Town Meeting, perhaps via a Special Town Meeting.
- d. **Article 4 – Amend General By-Laws Article 24 (Town Employees and Personnel Board) (Town Administrator):** On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted 4-1-0, with Mr. Connolly in opposition, in favor of amending By-Laws Article 24 by removing the word “step” and inserting the phrase “rate of pay.” (FinCom had previously voted favorably.)

16. Transportation Project Update:

- a. **Marion Street Bridge:** Per Mr. Ostroff’s discussion with the new MassDOT area supervisor who is working on the bridge, utility company delays have pushed back the Marion Street Bridge contract by about 170 days. The project should be completed in about a year.
- b. **Natick Center MBTA Station and**
- c. **Cochichuate Rail Trail:** Per Mr. Ostroff, as part of their preliminary, five-year capital plan, the State has budgeted \$4 million for the redesign of a fully-accessible and functional Natick MBTA station. Mr. Ostroff asked the Board to authorize the Chair to sign and send an acknowledgement letter of thanks to the MBTA and MassDOT for their commitment in this regard and requesting partial funding of the acquisition of the Cochichuate Rail Trail Right of Way. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously to authorize the Chair to sign and send the acknowledgement letter.

REQUESTED ACTION

- 17. **Approval of Minutes – March 10, 2016:** Moved by Mr. Jennett and seconded by Mr. Mabardy, the Board voted unanimously to approve the March 10, 2016 minutes.
- 18. **Crossroads 5K and Family Fun Day 5/5/16:** On a motion by Mr. Mabardy, seconded by Mr. Ostroff, the Board voted unanimously to follow Police Department recommendations to approve the 5K Road Race and deny the request for a one-day alcohol license.
- 19. **Request for Exemption from Town By-law Article 41, Section 4 - Brittany Halloran and Dorothy Halsey:** Moved by Mr. Mabardy and seconded by Mr. Ostroff, the Board voted unanimously to

approve the request for exemption for Brittany Halloran. On a motion by Mr. Connolly, seconded by Mr. Ostroff, the Board voted unanimously to approve the request for exemption for Dorothy Halsey.

20. Sustainability Coordinator – Solarize Natick – Request for Banner 5/16-5/22/16: During her presentation earlier in the evening, the Board voted unanimously to approve the Sustainability Coordinator's request to hang a banner on a motion by Mr. Jennett that was seconded by Mr. Mabardy.

21. Springfield Police Department Ride to Remember – Request for Parade Permit 9/17/16: On a motion by Mr. Hughes, seconded by Mr. Connolly, the Board voted unanimously to approve the parade permit with the stipulation that the streets are not closed.

SELECTMEN'S CONCERNS

Mr. Connolly would like relayed to the Town Administrator his concern that three of the Board Members were not aware of the departure of the Procurement Officer.

Mr. Ostroff thanked the Board and the Town for the opportunity to work in his capacity as Selectman and offered to discuss any Articles he is involved with at Town Meeting.

Mr. Mabardy thanked Mr. Hughes and Mr. Ostroff for their service to the Town. He also expressed concern that the Oak Street/Route 9 Project is only 80 percent done.

Mr. Jennett thanked Mr. Hughes and Mr. Ostroff for their service to the Town. He also encouraged Town residents to vote tomorrow.

Mr. Hughes thanked everyone for their kind words and their support.

ADJOURNMENT

On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board voted unanimously on a roll call vote to adjourn the Board of Selectmen's Meeting at 10:50 p.m.



Nicholas S. Mabardy, Clerk

March 28, 2016 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on July 25, 2016

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All documents used at this Board of Selectmen meeting are available at:

<http://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=249&MinutesMeetingID=-1&doctype=Agenda>